(3)

Docket No. 87-1260

Supreme Court, U.S.
FILED
MAR 14 1988
JOSEPH F. SPANIOL, JR.
CLERK

In the Supreme Court of the United States

October Term, 1987

JESSE J. JOHNSON,

Petitioner,

V.

ANN MCLAUGHLIN,
Secretary of Labor et. al.

Respondents,

PETITION FOR WRIT OF CERTIORARI
TO THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT

PETITIONER'S REPLY BRIEF TO RESPONDENTS MEMORANDUM IN OPPOSITION

JESSE J. JOHNSON
Pro Se
41 Cornelius Drive
Hampton, Virginia 23666
(804) 838-1244

In the Supreme Court of the United States

October Term, 1987

No. 87-1260

JESSE J. JOHNSON, PETITIONER

V.

ANN McLAUGHLIN, SECRETARY OF LABOR, ET AL

ON PETITION FOR A WRIT OF CERTIORARI
TO THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT

PETITIONER'S REPLY BRIEF TO
RESPONDENT'S MEMORANDUM
IN OPPOSITION

1. The Pro Se Petitioner in this Reply Brief firmly and legally opposes the Honorable Solicitor General's memorandum for the Respondents in Opposition (referred to later as Memorandum), briefly stated because of very limited time to reply for the following reasons:

a. The Supreme Court Clerk complied with all of the Supreme Court rules and sections of 28 U.S. Code when it docketed this Pro Se Petitioner's Writ of Certiorari as timely filed as required in all Civil cases.

b. The Courts final judgement was made on 29 September 1987. The time for filing this Pro Se Writ of Certiorari was before 29 December 1987. Petitioner filed this case on December 22, 1987. The judgement made by the three judge panel, restricted to petitioner's supplemental petition for a rehearing on 5 August 1987, intentionally, obstructively denied petitioner's constitutional due process and equal protection and continued to do so on petitioner's later motions after 5 August 1987 (pages 1-29).

c. The case cited in the memorandum, Department of Banking v. Pink, 317 U.S.

264 (1924), applies only to 28 U.S.C., Section 350, a judgement restricted to State court cases on appeal to the Supreme Court, not to these federal court individual cases on appeal. Other cases also cited in the memorandum do not apply to this case.

d. The memorandum neglected to consider that all motions made by the petitioner were timely filed; however, that the lower court clerks and judges obstructed justice, violated petitioner's constitutional due process and equal protection rights, laws, intent of Congress, and court decisions cited by petitioner before the August 5, 1987 judgement based on only a supplemental motion and continued after August 5, 1987 in order to avoid unconstitutionally, a precedent setting decision as set forth in petitioner's Writ of Certiorari, motions, briefs and entire record. For example,

both lower courts have knowingly, deliberately and unconstitutionally distorted and falsified the facts, violated laws, the intent of Congress by refusing to base their judgements and decisions on the basic issue of most unreasonable delay per se (1977-1988), and on the Freedom of Information Act to prove the unreasonable delay.

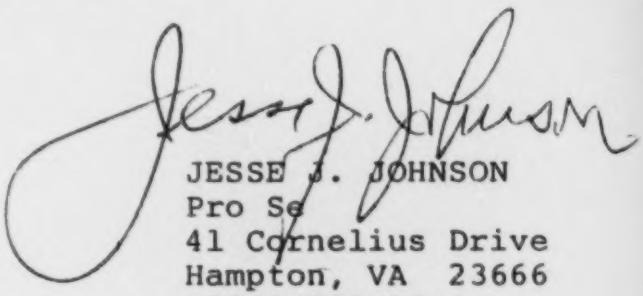
e. The lower courts and the memorandum avoids petitioner's rights under FOIA in 1979, 1981, 1983, 1984, 1985 and 1986 and continuing wherein petitioner has prevailed; therefore, is entitled to attorney fees (pro se).

2. Petitioner's Writ of Certiorari should be accepted and decided in favor of petitioner.

Jesse J. Johnson
Pro Se

CERTIFICATE OF SERVICE

I certify that a copy of the forgoing Reply Brief for Jesse J. Johnson, Pro Se, Petitioner was mailed on March 10, 1988, postage prepaid by certified mail to the Honorable Charles Fried, Solicitor General of the U.S. Justice Department, Room 5614, Tenth and Constitution Avenue, NW, Washington, DC 20530.



JESSE J. JOHNSON
Pro Se
41 Cornelius Drive
Hampton, VA 23666
(804) 838-1244